

Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TANA IHRIG and MARK IHRIG,)	NO. 2:06-cv-00512-RSM
)	
Plaintiffs,)	DEFENDANT RESURGENT
)	CAPITAL SERVICES LP'S RULE
v.)	26(a)(1) DISCLOSURES
)	
WASHINGTON MUTUAL BANK, <i>et al.</i> ,)	
)	
Defendants.)	

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant Resurgent Capital Services L.P. ("Resurgent") provides the following information:

A. IDENTITY OF INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION RELEVANT TO DISPUTED FACTS.

Defendant Resurgent identifies the following individual(s), other than Plaintiffs and the other named Defendants, who may have relevant information: John Shinovich, Authorized Representative, Resurgent.

Identification of any person does not constitute a representation that such person has information that is nonprivileged, nor does it constitute a waiver of any privilege or objection that may be made to such witness's testimony.

DEFENDANT RESURGENT
CAPITAL SERVICES LP'S
RULE 26(a)(1) DISCLOSURES
0605-03 ss

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STEPHEN A. BERNHEIM
ATTORNEY AT LAW
512 Bell Street
Edmonds, Washington 98020
(425) 712-8318
Fax (425) 712-8418
e-mail:steve@stevebernheim.com

1 Defendant Resurgent may identify additional witnesses through discovery and
 2 continued investigation. Defendant Resurgent specifically reserves the right to offer
 3 witnesses at trial that are not identified above.

4 **B. DESCRIPTION (BY CATEGORY) OF ALL DOCUMENTS, DATA**
 5 **COMPILATIONS AND TANGIBLE THINGS THAT MAY BE RELEVANT**
 6 **TO DISPUTED FACTS.**

7 Defendant Resurgent identifies the following categories of documents, data
 8 compilations and tangible things that may be relevant to disputed facts: (i) its accounts notes,
 9 and (ii) notes of the agencies with whom Plaintiffs' account was placed.

10 Defendant Resurgent anticipates that Plaintiffs and the other named Defendants may
 11 also have documents, records, data and things that may be relevant to disputed facts.

12 Defendant Resurgent may identify additional categories of documents, data
 13 compilations, and other tangible things through discovery and continued investigation.
 14 Defendant Resurgent specifically reserves the right to offer exhibits at trial that do not fall
 15 within the above-listed category.

16 **C. COMPUTATION OF DAMAGES CLAIMED BY DEFENDANT.**

17 Not applicable.

18 **D. INSURANCE AGREEMENTS WHICH MAY BE LIABLE TO SATISFY**
 19 **PART OR ALL OF A JUDGMENT.**

20 Defendant Resurgent has not tendered the defense of this claim to its insurance
 21 provider.

22 DATED this 26th day of July, 2006

23 /s/ Stephen A. Bernheim
 24 Stephen A. Bernheim, WSBA #15225
 25 Attorney for Defendants LVNV Funding, LLC,
 26 Resurgent Capital Services, LP and Sherman
 27 Financial Group LLC

28 DEFENDANT RESURGENT
 CAPITAL SERVICES LP'S
 RULE 26(a)(1) DISCLOSURES
 0605-03 ss